

SECOND REGULAR SESSION

HOUSE BILL NO. 1657

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WEBBER (Sponsor) AND MEADOWS (Co-sponsor).

5542L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to state contracts.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be
2 known as section 34.390, to read as follows:

**34.390. 1. Except as provided in subsection 2 of this section, the following
2 provisions shall apply to all state contracts:**

**3 (1) A state agency shall not award a contract to a contractor or subcontractor who
4 performs the work at a site outside of the United States;**

**5 (2) Each vendor submitting a bid or contract to provide services for the state shall
6 certify the services covered by the bid or contract will be performed in the United States;**

**7 (3) If, during the life of the contract, the contractor or subcontractor shifts work
8 overseas, the state agency shall require the contractor or subcontractor to pay damages in
9 an amount equal to the amount paid by the agency for the percentage of outsourced work.
10 The state agency also shall terminate the contract for noncompliance;**

**11 (4) The state agency shall be entitled to bring a civil action to compel enforcement
12 under this section. The court shall award reasonable attorney's fees and costs to the state
13 agency.**

**14 2. The provisions of subsection 1 of this section shall not apply to a contract if
15 refusing to award such contract would violate the specific terms to which the state agency
16 consented under:**

17 (1) The Agreement on Government Procurement of the World Trade Organization;

18 (2) A bilateral or regional free trade agreement.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

19 **3. As used in this section, "state agency" means a department, commission,**
20 **authority, office, college, or university of this state.**

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